

2120 - Served	2121 - Served	2620 - Sec. of State
2220 - Not Served	2221 - Not Served	2621 - Alias Sec of State
2320 - Served By Mail	2321 - Served By Mail	
2420 - Served By Publication	2421 - Served By Publication	
<b>Summons - Alias Summons</b>		(03/15/21) CCG 0001 A

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

Name all Parties

JEROME MACK

Plaintiff(s)

v.

ADESA, INC. and ADESA ILLINOIS, LLC

Case No. 22 L 491

Defendant(s)

Address of Defendant(s)

Please serve as follows (check one):  Certified Mail  Sheriff Service  Alias

**SUMMONS**

To each Defendant: Adesa, Inc.; RA Illinois Corporation Service C, 801 Adlai Stevenson Dr., Springfield, IL 62703

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

**THERE IS A FEE TO FILE YOUR APPEARANCE.**

**FILING AN APPEARANCE:** Your appearance date is NOT a court date. It is the deadline for filing your appearance/answer. To file your appearance/answer **YOU DO NOT NEED TO COME TO THE COURTHOUSE**, unless you are unable to eFile your appearance/answer. You can download an Appearance form at <http://www.illinoiscourts.gov/Forms/approved/procedures/appearance.asp>. After completing and saving your Appearance form, you can electronically file (e-File) it with the circuit clerk's office.

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

Page 1 of 3

**EXHIBIT**

**A**

**Summons - Alias Summons**

(03/15/21) CCG 0001 B

**E-FILING:** E-filing is now mandatory with limited exemptions. To e-File, you must first create an account with an e-Filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

If you need additional help or have trouble e-Filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit [www.illinoislegalaid.org](http://www.illinoislegalaid.org).

**FEES WAIVER:** If you are unable to pay your court fees, you can apply for a fee waiver. For information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to [www.illinoislegalaid.org](http://www.illinoislegalaid.org). You can also ask your local circuit clerk's office for a fee waiver application.

**COURT DATE:** Your court date will be sent to your e-File email account or the email address you provided to the clerk's office. You can also call or email the clerk's office to request your next court date. You will need to provide your case number OR, if unknown, the name of the Plaintiff or Defendant. For criminal case types, you will also need to provide the Defendant's birthdate.

**REMOTE APPEARANCE:** You may be able to attend this court date by phone or video conference. This is called a "Remote Appearance". Call the Circuit Clerk at (312) 603-5030 or visit their website at [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to find out how to do this.

Contact information for each of the Clerk's Office locations is included with this summons. The Clerk's office is open Mon - Fri, 8:30 am - 4:30 pm, except for court holidays.

To the officer: (Sheriff Service)

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than thirty (30) days after its date.

Atty. No.: 61090  
 Pro Se 99500

Witness date \_\_\_\_\_

1/19/2022 1:52 PM IRIS Y. MARTINEZ

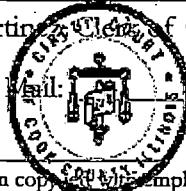
Name: Cameron J. Tober

Iris Y. Martinez, Clerk of Court

Atty. for (if applicable):

Service by Certified Mail:   

Plaintiff \_\_\_\_\_



Address: 225 W. Wacker Drive, Suite 1650

Date of Service:     
(To be inserted by officer on copy left to employer or other person)

City: Chicago

State: IL Zip: 60606

Telephone: 312-586-1700

Primary Email: ctober@tpmblegal.com

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois

[cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org)

Page 2 of 3

**GET YOUR COURT DATE BY CALLING IN OR BY EMAIL**

**CALL OR SEND AN EMAIL MESSAGE** to the telephone number or court date email address below for the appropriate division, district or department to request your next court date. Email your case number, or, if you do not have your case number, email the Plaintiff or Defendant's name for civil case types, or the Defendant's name and birthdate for a criminal case.

**CHANCERY DIVISION**

**Court date EMAIL:** ChanCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5133

**CIVIL DIVISION**

**Court date EMAIL:** CivCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5116

**COUNTY DIVISION**

**Court date EMAIL:** CntyCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5710

**DOMESTIC RELATIONS/CHILD SUPPORT DIVISION**

**Court date EMAIL:** DRCourtDate@cookcountycourt.com  
OR  
ChildSupCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-6300

**DOMESTIC VIOLENCE**

**Court date EMAIL:** DVCourtDate@cookcountycourt.com  
Gen. Info: (312) 325-9500

**LAW DIVISION**

**Court date EMAIL:** LawCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5426

**PROBATE DIVISION**

**Court date EMAIL:** ProbCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-6441

**ALL SUBURBAN CASE TYPES**

**DISTRICT 2 - SKOKIE**

**Court date EMAIL:** D2CourtDate@cookcountycourt.com  
Gen. Info: (847) 470-7250

**DISTRICT 3 - ROLLING MEADOWS**

**Court date EMAIL:** D3CourtDate@cookcountycourt.com  
Gen. Info: (847) 818-3000

**DISTRICT 4 - MAYWOOD**

**Court date EMAIL:** D4CourtDate@cookcountycourt.com  
Gen. Info: (708) 865-6040

**DISTRICT 5 - BRIDGEVIEW**

**Court date EMAIL:** D5CourtDate@cookcountycourt.com  
Gen. Info: (708) 974-6500

**DISTRICT 6 - MARKHAM**

**Court date EMAIL:** D6CourtDate@cookcountycourt.com  
Gen. Info: (708) 232-4551

FILED  
1/14/2022 1:05 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
16306658

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JEROME MACK )  
Plaintiff, )  
v. )  
ADESA, INC., and ) Case No. 2022L000491  
ADESA ILLINOIS, LLC )  
Defendants ) Hearing Date: 3/22/2022 9:30 AM  
)  
)

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, JEROME MACK, by and through his attorneys, TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC., and complaining of Defendants, ADESA, INC., and ADESA ILLINOIS, LLC, alleges as follows:

**COUNT I- PREMISES LIABILITY**  
**ADESA, INC.**

1. That on and before January 8, 2021, Plaintiff, JEROME MACK resided in the City of Chicago Heights, County of Cook, State of Illinois.
2. That on and before January 8, 2021, Defendant, ADESA, INC., was a foreign business corporation doing business in the City of Chicago, County of Cook, State of Illinois.
3. That on and before January 8, 2021, Defendant, ADESA ILLINOIS, LLC, was an Illinois limited liability company doing business in the City of Chicago, County of Cook, State of Illinois.
4. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., owned, leased, operated, maintained, and/or managed a commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.

5. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, owned, leased, operated, maintained, and/or managed a commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.
6. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., retained the right to control, and/or manage the aforesaid property, including the common areas, areas of ingress and egress, and parking lot of the commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois..
7. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, retained the right to control, and/or manage the aforesaid property, including the areas of ingress and egress and parking lot of the commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.
8. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., possessed, operated, managed, maintained, and controlled or had a duty to possess, operated, manage, and/or control, both directly or indirectly through its agents, servants, contractors and/or employees, the commercial business complex located at 2785 Beverly road, in Hoffman Estates, Illinois, including its common areas, areas of ingress and egress, and parking lot.
9. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, possessed, operated, managed, maintained, and controlled or had a duty to possess, operate, manage, and/or control, both directly or indirectly through its agents, servants, contractors and/or employees, the commercial business complex located at 2785 Beverly Road,

in Hoffman Estates, Illinois, including its common areas, areas of ingress and egress, and parking lot.

10. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., through its agents, servants, contractors, and/or employees, caused and permitted an area of ingress and egress and parking lot of the premises of the commercial business complex located at 2785 Beverly Road, in Hoffman Estates, Illinois, to become and remain in a dangerous condition for persons on the premises, including Plaintiff, although Defendant knew or in the exercise of ordinary care, should have known of the dangerous condition on the property.

11. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC. through its agents, servants, contractors, and/or employees, caused and permitted an area of ingress and egress and parking lot of the premises of the commercial business complex located at 2785 Beverly Road, in Hoffman Estates, Illinois, to become and remain in a dangerous condition for persons on the premises, including Plaintiff, although Defendant knew or in the exercise of ordinary care, should have known of the dangerous condition on the property.

12. On or about January 8, 2021, Plaintiff, JEROME MACK, was walking through an area of ingress and egress that served as a parking lot access way.

13. That at the aforesaid place and time, and on the aforesaid date, an unnatural accumulation of ice and snow had accumulated in the area of ingress and egress that served as a parking lot access way.

14. That Defendant, ADESA, INC. by and through its employees, servants and/or agents, had actual or constructive knowledge of the aforesaid dangerous unnatural accumulation of ice and

snow that was present in the area of ingress and egress that served as a parking lot access way to designated parking area.

15. On or about January 8, 2021, Plaintiff, JEROME MACK, walked through the area of ingress and egress that served as a parking lot access way at 2785 Beverly Road, in Hoffman Estates, Illinois, when through no fault, negligence or carelessness of his own, he slipped and fell on an unnatural accumulation of ice.

16. That at the aforesaid date and time and at the aforesaid place, it then and there became and was the duty of Defendant ADESA, INC., prior to and at the time of the occurrence, to exercise reasonable care and caution in and about the ownership, management, maintenance, operation, control and possession of said premises, so that the same would be in good, safe, and proper conditions for persons legally and lawfully upon said premises to use and walk upon so as not to cause harm and injury to such persons, and, in particular, the Plaintiff.

17. That notwithstanding the aforesaid duty, Defendant ADESA, INC. by and through its respective agents, servants, contractors and/or employees in the course and scope of their agency, servitude and/or employment, prior to and at the time of the occurrence, acted or failed to act in one or more of the following ways:

- (a). Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, Plaintiff was injured;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot and/or access way and in the designated parking area;
- (c). Failed to properly and adequately remove the unnatural accumulation of ice and snow from and around the parking access way and in the parking lot area;
- (d). Failed to make a reasonable inspection of the aforesaid premises and said parking lot access way and in the designated parking area when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to Plaintiff;

- (e). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (f). Failed to apply salt, sand or any other slip resistant or ice removal substance to the icy, slippery and hazardous conditions in the parking lot access way area;
- (g). Failed to remove and/or abate the icy, slippery and hazardous conditions for the safety of those in the parking lot access way and in the designated parking area; and/or
- (h). Was otherwise negligent and careless.

18. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA, INC., Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

19. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA, INC., Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA, INC., in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit

**COUNT II- NEGLIGENCE/CREATED A HAZARDOUS CONDITION**  
**ADESA, INC.**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count II, as though fully set forth herein.

14. That on or about January 8, 2021, Defendant, ADESA, INC., had a duty to use ordinary care for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial business complex; and a duty to refrain from creating hazardous conditions upon the premises for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial premises.

15. That on or about January 8, 2021, JEROME MACK, was lawfully upon the aforementioned premises and was using ordinary care for his own safety.

16. That notwithstanding its duty, at said time and place, Defendant ADESA, INC., by and through its agents, servants, and/or employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions.

- (a) Improperly and inadequately plowed, shoveled, or otherwise removed snow buildup leaving a thin layer of ice within the parking lot and/or parking lot access way creating a hazardous condition;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area, creating a hazardous condition;
- (c). Failed to apply salt, sand or any other slip resistant or ice removal substance following the plowing, shoveling, or other snow removal creating an icy, slippery and hazardous condition in the parking lot access way area;
- (d). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;

- (e). Improperly, incompletely, and/or inadequately removed the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (f). Failed to and/or inadequately supervised, managed, and/or oversaw the snow and ice removal work being done at the aforementioned commercial business complex; and/or
- (g). Was otherwise negligent and careless in creating and permitted to exist the aforementioned hazardous condition(s).

17. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA, INC., Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

18. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA, INC., Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA, INC., in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

**COUNT III- PREMISES LIABILITY**  
**ADESA ILLINOIS, LLC**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count III, as though fully set forth herein.

14. That Defendant, ADESA ILLINOIS, LLC, by and through its employees, servants and/or agents, had actual or constructive knowledge of the aforesaid dangerous unnatural accumulation of ice and snow that was present in the area of ingress and egress that served as a parking lot access way to the designated parking area.

15. On or about January 8, 2021, Plaintiff, JEROME MACK, walked through the area of ingress and egress that served as a parking lot access way at 2785 Beverly Road, in Hoffman Estates, Illinois, when through no fault, negligence or carelessness of his own, he slipped and fell on an unnatural accumulation of ice.

16. That at the aforesaid date and time and at the aforesaid place, it then and there became and was the duty of Defendant ADESA ILLINOIS, LLC, prior to and at the time of the occurrence, to exercise reasonable care and caution in and about the ownership, management, maintenance, operation, control and possession of said premises, so that the same would be in good, safe, and proper conditions for persons legally and lawfully upon said premises to use and walk upon so as not to cause harm and injury to such persons, and, in particular, the Plaintiff.

17. That notwithstanding the aforesaid duty, Defendant ADESA ILLINOIS, LLC, by and through its respective agents, servants, contractors and/or employees in the course and scope of their agency, servitude and/or employment, prior to and at the time of the occurrence, acted or failed to act in one or more of the following ways:

- (a). Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, Plaintiff was injured;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area;
- (c). Failed to properly and adequately remove the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (d). Failed to make a reasonable inspection of the aforesaid premises and said parking lot access way and in the designated parking area when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to Plaintiff;
- (e). Failed to warn the Plaintiff of the unnatural accumulation of ice and snow in parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (f). Failed to apply salt, sand or any other slip resistant or ice removal substance to the icy, slippery and hazardous conditions in the parking lot access way and in the designated parking area; and
- (g). Failed to remove and/or abate the icy, slippery and hazardous conditions for members of the general public on the parking lot access way and in the designated parking area; and/or
- (h). Was otherwise negligent and careless.

18. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA ILLINOIS, LLC, Plaintiff was caused to slip and fall on icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

19. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA ILLINOIS, LLC, Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in

the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA ILLINOIS, LLC, in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

**COUNT IV- NEGLIGENCE/CREATED A HAZARDOUS CONDITION**  
**ADESA ILLINOIS, LLC**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count IV, as though fully set forth herein.

14. That on or about January 8, 2021, Defendant, ADESA ILLINOIS, LLC, had a duty to use ordinary care for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial business complex; and a duty to refrain from creating hazardous conditions upon the premises for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial premises.

15. That on or about January 8, 2021, JEROME MACK, was lawfully upon the aforementioned premises and was using ordinary care for his own safety.

16. That notwithstanding its duty, at said time and place, Defendant ADESA ILLINOIS, LLC, by and through its agents, servants, and/or employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions.

- (a) Improperly and inadequately plowed, shoveled, or otherwise removed snow buildup leaving a thin layer of ice within the parking lot and/or parking lot access way creating a hazardous condition;

- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area, creating a hazardous condition;
- (c). Failed to apply salt, sand or any other slip resistant or ice removal substance following the plowing, shoveling, or other snow removal creating an icy, slippery and hazardous condition in the parking lot access way area;
- (d). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (e). Improperly, incompletely, and/or inadequately removed the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (f). Failed to and/or inadequately supervised, managed, and/or oversaw the snow and ice removal work being done at the aforementioned commercial business complex; and/or
- (g). Was otherwise negligent and careless in creating and permitted to exist the aforementioned hazardous condition(s).

17. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA ILLINOIS, LLC, Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

18. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA ILLINOIS, LLC, Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff

further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA ILLINOIS, LLC in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

Respectfully Submitted,



Attorneys for the Plaintiff

Jonathan D. Treshansky (#6310346)  
Cameron J. Tober (#6333466)  
**TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC**  
225 W. Wacker Drive, Suite 1750  
Chicago, IL 60606  
Atty ID: 61090  
T: 312.586.1700  
F: 312.586.1701  
[jtreshansky@tpmblegal.com](mailto:jtreshansky@tpmblegal.com)  
[ctober@tpmblegal.com](mailto:ctober@tpmblegal.com)

FILED  
1/14/2022 1:05 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
16306658

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JEROME MACK

)

Plaintiff,

)

v.

)

ADESA, INC., and

)

ADESA ILLINOIS, LLC

)

Defendants

)

)

Case No. 2022L000491

Hearing Date: 3/22/2022 9:30 AM

**AFFIDAVIT OF DAMAGES**

Cameron J. Tober, having first been sworn, under oath, states as follows:

1. I am an attorney for the law firm of Taxman, Pollock, Murray & Bekkerman, LLC, an Illinois Professional Corporation, and licensed to practice law in Illinois. If called to testify, I would competently testify as to the contents of this Affidavit.

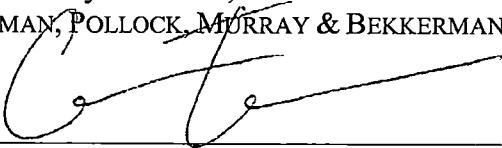
2. I represent the Plaintiff in the Complaint attached to this Affidavit.

3. As a result of the negligence of the Defendants described in the attached Complaint at Law, the Plaintiff suffered severe injury.

4. Based upon the injuries of Plaintiff, Jerome Mack, the total amount of money damages sought by the Plaintiff exceeds fifty thousand dollars (\$50,000.00).

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Respectfully submitted,  
TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC

  
Cameron J. Tober

Attorney No. 61090  
Cameron J. Tober  
TAXMAN, POLLOCK, MURRAY  
& BEKKERMAN, LLC  
225 West Wacker Drive, Suite 1650  
Chicago, IL 60606  
312-586-1700  
[ctober@tpmblegal.com](mailto:ctober@tpmblegal.com)  
[www.tpmblegal.com](http://www(tpmblegal.com)

2120 - Served	2121 - Served	2620 - Sec. of State
2220 - Not Served	2221 - Not Served	2621 - Alias Sec of State
2320 - Served By Mail	2321 - Served By Mail	
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Summons - Alias Summons		(03/15/21) CCG 0001 A

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

Name all Parties

JEROME MACK

---

Plaintiff(s)

v.

ADESA, INC. and ADESA ILLINOIS, LLC

Case No. 22 L 491

---



---

Defendant(s)

---



---

Address of Defendant(s)

---

Please serve as follows (check one):  Certified Mail  Sheriff Service  Alias

**SUMMONS**

To each Defendant: Adesa Illinois, LLC; RA United States Corporation Co; 801 Adlai Stevenson Dr., Springfield, IL 62703

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

**THERE IS A FEE TO FILE YOUR APPEARANCE.**

**FILING AN APPEARANCE:** Your appearance date is NOT a court date. It is the deadline for filing your appearance/answer. To file your appearance/answer **YOU DO NOT NEED TO COME TO THE COURTHOUSE, unless you are unable to eFile your appearance/ answer.** You can download an Appearance form at <http://www.illinoiscourts.gov/Forms/approved/procedures/appearance.asp>. After completing and saving your Appearance form, you can electronically file (e-File) it with the circuit clerk's office.

**Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois**

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

Page 1 of 3

**EXHIBIT**

**B**

**Summons - Alias Summons**

(03/15/21) CCG 0001 B

**E-FILING:** E-filing is now mandatory with limited exemptions. To e-File, you must first create an account with an e-Filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

If you need additional help or have trouble e-Filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit [www.illinoislegalaid.org](http://www.illinoislegalaid.org).

**FEE WAIVER:** If you are unable to pay your court fees, you can apply for a fee waiver. For information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to [www.illinoislegalaid.org](http://www.illinoislegalaid.org). You can also ask your local circuit clerk's office for a fee waiver application.

**COURT DATE:** Your court date will be sent to your e-File email account or the email address you provided to the clerk's office. You can also call or email the clerk's office to request your next court date. You will need to provide your case number OR, if unknown, the name of the Plaintiff or Defendant. For criminal case types, you will also need to provide the Defendant's birthdate.

**REMOTE APPEARANCE:** You may be able to attend this court date by phone or video conference. This is called a "Remote Appearance". Call the Circuit Clerk at (312) 603-5030 or visit their website at [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org) to find out how to do this.

Contact information for each of the Clerk's Office locations is included with this summons. The Clerk's office is open Mon - Fri, 8:30 am - 4:30 pm, except for court holidays.

To the officer: (Sheriff Service)

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than thirty (30) days after its date.

Atty. No.: 61090  
 Pro Se 99500

Witness date \_\_\_\_\_

1/19/2022 1:52 PM IRIS Y. MARTINEZ

Name: Cameron J. Tober

Iris Y. Martinez, Clerk of Court

Atty. for (if applicable):

Service by Certified Mail  
 Date of Service:  
(To be inserted by officer or employee with employer or other person)

Plaintiff \_\_\_\_\_



Address: 225 W. Wacker Drive, Suite 1650

City: Chicago

State: IL Zip: 60606

Telephone: 312-586-1700

Primary Email: ctober@tpmblegal.com

**Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois**

[cookcountyclerkofcourt.org](http://cookcountyclerkofcourt.org)

Page 2 of 3

**GET YOUR COURT DATE BY CALLING IN OR BY EMAIL**

**CALL OR SEND AN EMAIL MESSAGE** to the telephone number or court date email address below for the appropriate division, district or department to request your next court date. Email your case number, or, if you do not have your case number, email the Plaintiff or Defendant's name for civil case types, or the Defendant's name and birthdate for a criminal case.

**CHANCERY DIVISION**

**Court date EMAIL:** ChanCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5133

**CIVIL DIVISION**

**Court date EMAIL:** CivCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5116

**COUNTY DIVISION**

**Court date EMAIL:** CntyCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5710

**DOMESTIC RELATIONS/CHILD SUPPORT DIVISION**

**Court date EMAIL:** DRCourtDate@cookcountycourt.com  
OR  
ChildSupCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-6300

**DOMESTIC VIOLENCE**

**Court date EMAIL:** DVCourtDate@cookcountycourt.com  
Gen. Info: (312) 325-9500

**LAW DIVISION**

**Court date EMAIL:** LawCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-5426

**PROBATE DIVISION**

**Court date EMAIL:** ProbCourtDate@cookcountycourt.com  
Gen. Info: (312) 603-6441

**ALL SUBURBAN CASE TYPES**

**DISTRICT 2 - SKOKIE**

**Court date EMAIL:** D2CourtDate@cookcountycourt.com  
Gen. Info: (847) 470-7250

**DISTRICT 3 - ROLLING MEADOWS**

**Court date EMAIL:** D3CourtDate@cookcountycourt.com  
Gen. Info: (847) 818-3000

**DISTRICT 4 - MAYWOOD**

**Court date EMAIL:** D4CourtDate@cookcountycourt.com  
Gen. Info: (708) 865-6040

**DISTRICT 5 - BRIDGEVIEW**

**Court date EMAIL:** D5CourtDate@cookcountycourt.com  
Gen. Info: (708) 974-6500

**DISTRICT 6 - MARKHAM**

**Court date EMAIL:** D6CourtDate@cookcountycourt.com  
Gen. Info: (708) 232-4551

FILED  
1/14/2022 1:05 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
16306658

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JEROME MACK

)

Plaintiff,

)

v.

)

ADESA, INC., and

)

ADESA ILLINOIS, LLC

)

Defendants

)

)

Case No. 2022L000491

) Hearing Date: 3/22/2022 9:30 AM

)

)

**COMPLAINT AT LAW**

NOW COMES the Plaintiff, JEROME MACK, by and through his attorneys, TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC., and complaining of Defendants, ADESA, INC., and ADESA ILLINOIS, LLC, alleges as follows:

**COUNT I- PREMISES LIABILITY**  
**ADESA, INC.**

1. That on and before January 8, 2021, Plaintiff, JEROME MACK resided in the City of Chicago Heights, County of Cook, State of Illinois.
2. That on and before January 8, 2021, Defendant, ADESA, INC., was a foreign business corporation doing business in the City of Chicago, County of Cook, State of Illinois.
3. That on and before January 8, 2021, Defendant, ADESA ILLINOIS, LLC, was an Illinois limited liability company doing business in the City of Chicago, County of Cook, State of Illinois.
4. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., owned, leased, operated, maintained, and/or managed a commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.

5. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, owned, leased, operated, maintained, and/or managed a commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.
6. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., retained the right to control, and/or manage the aforesaid property, including the common areas, areas of ingress and egress, and parking lot of the commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois..
7. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, retained the right to control, and/or manage the aforesaid property, including the areas of ingress and egress and parking lot of the commercial business complex located at 2785 Beverly Road, in the City of Hoffman Estates, County of Cook, State of Illinois.
8. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., possessed, operated, managed, maintained, and controlled or had a duty to possess, operated, manage, and/or control, both directly or indirectly through its agents, servants, contractors and/or employees, the commercial business complex located at 2785 Beverly road, in Hoffman Estates, Illinois, including its common areas, areas of ingress and egress, and parking lot.
9. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC, possessed, operated, managed, maintained, and controlled or had a duty to possess, operate, manage, and/or control, both directly or indirectly through its agents, servants, contractors and/or employees, the commercial business complex located at 2785 Beverly Road,

in Hoffman Estates, Illinois, including its common areas, areas of ingress and egress, and parking lot.

10. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA, INC., through its agents, servants, contractors, and/or employees, caused and permitted an area of ingress and egress and parking lot of the premises of the commercial business complex located at 2785 Beverly Road, in Hoffman Estates, Illinois, to become and remain in a dangerous condition for persons on the premises, including Plaintiff, although Defendant knew or in the exercise of ordinary care, should have known of the dangerous condition on the property.

11. That on January 8, 2021, and at all times hereinafter mentioned, Defendant, ADESA ILLINOIS, LLC. through its agents, servants, contractors, and/or employees, caused and permitted an area of ingress and egress and parking lot of the premises of the commercial business complex located at 2785 Beverly Road, in Hoffman Estates, Illinois, to become and remain in a dangerous condition for persons on the premises, including Plaintiff, although Defendant knew or in the exercise of ordinary care, should have known of the dangerous condition on the property.

12. On or about January 8, 2021, Plaintiff, JEROME MACK, was walking through an area of ingress and egress that served as a parking lot access way.

13. That at the aforesaid place and time, and on the aforesaid date, an unnatural accumulation of ice and snow had accumulated in the area of ingress and egress that served as a parking lot access way.

14. That Defendant, ADESA, INC. by and through its employees, servants and/or agents, had actual or constructive knowledge of the aforesaid dangerous unnatural accumulation of ice and

snow that was present in the area of ingress and egress that served as a parking lot access way to designated parking area.

15. On or about January 8, 2021, Plaintiff, JEROME MACK, walked through the area of ingress and egress that served as a parking lot access way at 2785 Beverly Road, in Hoffman Estates, Illinois, when through no fault, negligence or carelessness of his own, he slipped and fell on an unnatural accumulation of ice.

16. That at the aforesaid date and time and at the aforesaid place, it then and there became and was the duty of Defendant ADESA, INC., prior to and at the time of the occurrence, to exercise reasonable care and caution in and about the ownership, management, maintenance, operation, control and possession of said premises, so that the same would be in good, safe, and proper conditions for persons legally and lawfully upon said premises to use and walk upon so as not to cause harm and injury to such persons, and, in particular, the Plaintiff.

17. That notwithstanding the aforesaid duty, Defendant ADESA, INC. by and through its respective agents, servants, contractors and/or employees in the course and scope of their agency, servitude and/or employment, prior to and at the time of the occurrence, acted or failed to act in one or more of the following ways:

- (a). Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, Plaintiff was injured;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot and/or access way and in the designated parking area;
- (c). Failed to properly and adequately remove the unnatural accumulation of ice and snow from and around the parking access way and in the parking lot area;
- (d). Failed to make a reasonable inspection of the aforesaid premises and said parking lot access way and in the designated parking area when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to Plaintiff;

- (e). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (f). Failed to apply salt, sand or any other slip resistant or ice removal substance to the icy, slippery and hazardous conditions in the parking lot access way area;
- (g). Failed to remove and/or abate the icy, slippery and hazardous conditions for the safety of those in the parking lot access way and in the designated parking area; and/or
- (h). Was otherwise negligent and careless.

18. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA, INC., Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

19. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA, INC., Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA, INC., in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit

**COUNT II- NEGLIGENCE/CREATED A HAZARDOUS CONDITION**  
**ADESA, INC.**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count II, as though fully set forth herein.

14. That on or about January 8, 2021, Defendant, ADESA, INC., had a duty to use ordinary care for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial business complex; and a duty to refrain from creating hazardous conditions upon the premises for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial premises.

15. That on or about January 8, 2021, JEROME MACK, was lawfully upon the aforementioned premises and was using ordinary care for his own safety.

16. That notwithstanding its duty, at said time and place, Defendant ADESA, INC., by and through its agents, servants, and/or employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions.

- (a) Improperly and inadequately plowed, shoveled, or otherwise removed snow buildup leaving a thin layer of ice within the parking lot and/or parking lot access way creating a hazardous condition;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area, creating a hazardous condition;
- (c). Failed to apply salt, sand or any other slip resistant or ice removal substance following the plowing, shoveling, or other snow removal creating an icy, slippery and hazardous condition in the parking lot access way area;
- (d). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;

- (e). Improperly, incompletely, and/or inadequately removed the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (f). Failed to and/or inadequately supervised, managed, and/or oversaw the snow and ice removal work being done at the aforementioned commercial business complex; and/or
- (g). Was otherwise negligent and careless in creating and permitted to exist the aforementioned hazardous condition(s).

17. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA, INC., Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

18. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA, INC., Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA, INC., in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

**COUNT III- PREMISES LIABILITY**  
**ADESA ILLINOIS, LLC**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count III, as though fully set forth herein.

14. That Defendant, ADESA ILLINOIS, LLC, by and through its employees, servants and/or agents, had actual or constructive knowledge of the aforesaid dangerous unnatural accumulation of ice and snow that was present in the area of ingress and egress that served as a parking lot access way to the designated parking area.

15. On or about January 8, 2021, Plaintiff, JEROME MACK, walked through the area of ingress and egress that served as a parking lot access way at 2785 Beverly Road, in Hoffman Estates, Illinois, when through no fault, negligence or carelessness of his own, he slipped and fell on an unnatural accumulation of ice.

16. That at the aforesaid date and time and at the aforesaid place, it then and there became and was the duty of Defendant ADESA ILLINOIS, LLC, prior to and at the time of the occurrence, to exercise reasonable care and caution in and about the ownership, management, maintenance, operation, control and possession of said premises, so that the same would be in good, safe, and proper conditions for persons legally and lawfully upon said premises to use and walk upon so as not to cause harm and injury to such persons, and, in particular, the Plaintiff.

17. That notwithstanding the aforesaid duty, Defendant ADESA ILLINOIS, LLC, by and through its respective agents, servants, contractors and/or employees in the course and scope of their agency, servitude and/or employment, prior to and at the time of the occurrence, acted or failed to act in one or more of the following ways:

- (a). Improperly operated, managed, maintained, and controlled the aforesaid premises, so that as a direct and proximate result thereof, Plaintiff was injured;
- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area;
- (c). Failed to properly and adequately remove the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (d). Failed to make a reasonable inspection of the aforesaid premises and said parking lot access way and in the designated parking area when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to Plaintiff;
- (e). Failed to warn the Plaintiff of the unnatural accumulation of ice and snow in parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (f). Failed to apply salt, sand or any other slip resistant or ice removal substance to the icy, slippery and hazardous conditions in the parking lot access way and in the designated parking area; and
- (g). Failed to remove and/or abate the icy, slippery and hazardous conditions for members of the general public on the parking lot access way and in the designated parking area; and/or
- (h). Was otherwise negligent and careless.

18. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA ILLINOIS, LLC, Plaintiff was caused to slip and fall on icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

19. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA ILLINOIS, LLC, Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in

the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA ILLINOIS, LLC, in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

**COUNT IV- NEGLIGENCE/CREATED A HAZARDOUS CONDITION**  
**ADESA ILLINOIS, LLC**

1-13. Plaintiff adopts and re-alleges Paragraphs One (1) through Thirteen (13) of Count I of this Complaint at Law as Paragraphs One (1) through Thirteen (13) of Count IV, as though fully set forth herein.

14. That on or about January 8, 2021, Defendant, ADESA ILLINOIS, LLC, had a duty to use ordinary care for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial business complex; and a duty to refrain from creating hazardous conditions upon the premises for the safety of the Plaintiff, JEROME MACK, and others lawfully on or about the commercial premises.

15. That on or about January 8, 2021, JEROME MACK, was lawfully upon the aforementioned premises and was using ordinary care for his own safety.

16. That notwithstanding its duty, at said time and place, Defendant ADESA ILLINOIS, LLC, by and through its agents, servants, and/or employees, was then and there guilty of one or more of the following careless and negligent acts and/or omissions.

- (a) Improperly and inadequately plowed, shoveled, or otherwise removed snow buildup leaving a thin layer of ice within the parking lot and/or parking lot access way creating a hazardous condition;

- (b). Allowed and permitted an unnatural accumulation of ice to exist on and around the parking lot access way and in the designated parking area, creating a hazardous condition;
- (c). Failed to apply salt, sand or any other slip resistant or ice removal substance following the plowing, shoveling, or other snow removal creating an icy, slippery and hazardous condition in the parking lot access way area;
- (d). Failed to warn the Plaintiff of the unnatural accumulation of ice in the parking lot access way and in the designated parking area, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff;
- (e). Improperly, incompletely, and/or inadequately removed the unnatural accumulation of ice and snow from and around the parking access way and in the designated parking lot area;
- (f). Failed to and/or inadequately supervised, managed, and/or oversaw the snow and ice removal work being done at the aforementioned commercial business complex; and/or
- (g). Was otherwise negligent and careless in creating and permitted to exist the aforementioned hazardous condition(s).

17. That on the aforesaid date and as a result of the aforesaid acts of Defendant, ADESA ILLINOIS, LLC, Plaintiff was caused to slip and fall on the icy and slippery conditions that existed as a result of the unnatural accumulation of ice and snow in the parking lot access way and in the designated parking area, thereby sustained severe and permanent injuries.

18. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, ADESA ILLINOIS, LLC, Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to his usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. The Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. The Plaintiff

further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries.

WHEREFORE, Plaintiff, JEROME MACK, demands judgment against Defendant, ADESA ILLINOIS, LLC in an amount in excess of fifty thousand dollars and such additional amounts as the jury and the Court shall deem proper, and additionally, costs of said suit.

Respectfully Submitted,



Attorneys for the Plaintiff

Jonathan D. Treshansky (#6310346)  
Cameron J. Tober (#6333466)  
**TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC**  
225 W. Wacker Drive, Suite 1750  
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Atty ID: 61090  
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[ctober@tpmblegal.com](mailto:ctober@tpmblegal.com)

FILED  
1/14/2022 1:05 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
16306658

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

JEROME MACK )  
Plaintiff, )  
v. )  
ADESA, INC., and )  
ADESA ILLINOIS, LLC )  
Defendants )  
Case No. 2022L000491  
Hearing Date: 3/22/2022 9:30 AM

**AFFIDAVIT OF DAMAGES**

Cameron J. Tober, having first been sworn, under oath, states as follows:

1. I am an attorney for the law firm of Taxman, Pollock, Murray & Bekkerman, LLC, an Illinois Professional Corporation, and licensed to practice law in Illinois. If called to testify, I would competently testify as to the contents of this Affidavit.

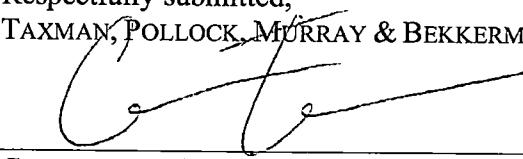
2. I represent the Plaintiff in the Complaint attached to this Affidavit.

3. As a result of the negligence of the Defendants described in the attached Complaint at Law, the Plaintiff suffered severe injury.

4. Based upon the injuries of Plaintiff, Jerome Mack, the total amount of money damages sought by the Plaintiff exceeds fifty thousand dollars (\$50,000.00).

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Respectfully submitted,  
TAXMAN, POLLOCK, MURRAY & BEKKERMAN, LLC

  
Cameron J. Tober

Attorney No. 61090  
Cameron J. Tober  
TAXMAN, POLLOCK, MURRAY  
& BEKKERMAN, LLC  
225 West Wacker Drive, Suite 1650  
Chicago, IL 60606  
312-586-1700  
[ctober@tpmblegal.com](mailto:ctober@tpmblegal.com)  
[www.tpmblegal.com](http://www(tpmblegal.com)

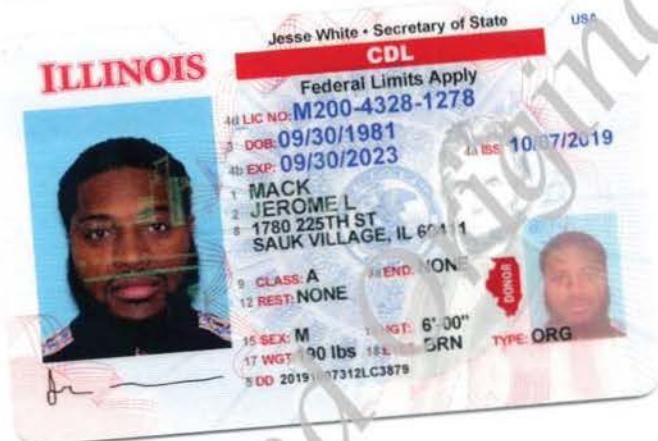


EXHIBIT  
C

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION**

JEROME MACK,	)	Court No.: 2022-L-000491
	)	
Plaintiff,	)	Hon Judge Melissa A. Durkin
	)	
v.	)	Room 2203
	)	
ADESA, INC., and ADESA ILLINOIS, LLC,	)	Calendar C
	)	
Defendants.	)	

**NOTICE TO CLERK OF THE CIRCUIT COURT OF COOK COUNTY OF THE  
FILING OF NOTICE OF REMOVAL OF CIRCUIT COURT ACTION TO FEDERAL  
DISTRICT COURT PURSUANT TO 28 U.S.C. SEC.1446(D)**

The defendants, ADESA, INC., and ADESA ILLINOIS, LLC by its attorneys, Caputo Law Firm, P.C., hereby notifies the Clerk of the Circuit Court of Cook County that on March 4, 2022, a Notice of Removal of this Circuit Court action was filed with the United States District Court, Northern District of Illinois, Eastern Division at Chicago, pursuant to 28 U.S.C. Sec. 1441(b) and 28 U.S.C. Sec. 1446(a) and (b).

This notice to the Clerk of the Circuit Court of Cook County in which the action is pending is given pursuant to 28 U.S.C. Sec. 1446(d) provides that the Circuit Court shall proceed no further unless and until the case is remanded by the Federal District Court to the Circuit Court of Cook County, Illinois.

Nicholas A. Caputo (6276248)  
Jerica M. Feller (6316984)  
CAPUTO LAW FIRM, P.C. (#49711)  
6843 Stanley Ave.  
Berwyn, IL 60402  
(312) 300-3801 (tel.)  
ncaputo@caputofirm.com  
jfeller@caputofirm.com

Respectfully submitted by:  
  
CAPUTO LAW FIRM, P.C.  
  
s/ Nicholas A. Caputo  
One of the attorneys for Defendants, ADESA,  
INC., and ADESA ILLINOIS, LLC

